(ii) conduct an inquiry regarding the disappearance of wastes from the port, and (iii) file an affidavit regarding action taken on the Action Plan contained in the report of the High Powered Committee (HPC). The Ministry has complied with the directions by way of filing an affidavit on 26.09.2001 based on the report of analysis of oil samples collected from the seized containers at Jawahar Lai Nehru Port, Nhava Sheva, Mumbai, carried out by the Indian Institute of Petroleum, Dehradun and setting up an Inquiry Committee on 31.01.2002 to probe into the disappearance of wastes from the ports. A detailed supplementary affidavit was filed on 06.12.2001 incorporating the responses of various States in respect of the recommendations of the HPC. Based on the above facts, an application has been filed in the Supreme Court Seeking condonation of the fine of Rs. 10000 imposed vide Supreme Court's order dated 04.02.2002.

The Supreme Court, as per their orders dated 18.02.2002 in Interlocutory Application No. 566 in Writ Petition No. 202/ 95, imposed a cost of Rs. 5000 on the Ministry for non-submission of affidavit, as directed in their orders on 23.11.2001. The court directed this Ministry to formulate a scheme, whereby, whenever forest land is permitted for non-forestry use, the responsibility of raising compensatory afforestation should be on the user agency. The Supreme Court had earlier passed similar directions in Interlocutory Application No. 574 on 08.09.2000. In compliance to the directions of 08.09.2000, this Ministry had submitted a detailed scheme in its affidavit of 03.01.2001 elucidating various options for carrying out compensatory afforestation. However, the attention of the Supreme Court could not be drawn to the fact that the Ministry has already filed the scheme, as directed by the Court in reference to Interlocutory Application No. 566, vide Ministry's affidavit on 03.01.2001.

In view of the above facts, the Ministry has taken up the issue with the Solicitor General of India to request the Supreme Court to consider the affidavit already filed on 03.01.2001 and also reconsider their direction regarding cost imposed.

Forest development agencies in Kerala

1361. SHRI N.K. PREMACHANDRAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Kerala Government has initiated action to constitute Forest Development Agencies at Division Level, in view of the stipulations under "Joint Forest Management'; and

(b) the progress achieved by the State in setting up of the Agencies at the grass root level?

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI T.R. BAALU): (a) Yes, Sir.

(b) Respective Forest Divisions have been advised by the Kerala State Forest Department to constitute the Forest Protection Committee, which are the primary constituents of Forest Development Agencies.

Sanctuaries as National Parks in Andhra Pradesh

1362. SHRI C. RAMACHANDRAIAH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

. (a) whether there is a demand to declare sanctuaries in Andhra Pradesh as National Parks;

(b) if so, the sanctuaries selected in the State for such upgradation;

(c) the time schedule for completing the formalities;

(d) whether the State Government has made any other suggestions in this regard; and

(e) if so, the details thereof?

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI T.R. BAALU): (a) to (e) The State Governments are competent to set up national parks and sanctuaries in accordance with the provisions of the Wild Life (Protection) Act, 1972.

Diseases due to pollution

†1363. SHRI JANESHWAR MISHRA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that air in metro cities/cities/towns has not only become polluted but poisonous also;

(b) if so, the details thereof;

(c) whether it is also a fact that not only common men, but neo-natal children have been found to be suffering from heart ailments; and

†Original notice of the Question was received in Hindi.